

EXHIBITS "G"

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD COLLINS,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	
CITY OF PHILADELPHIA,	:	
et al.,	:	
	:	
Defendants.	:	NO. 16-5671

ORIGINAL

Oral deposition of DETECTIVE KEITH SCOTT,
taken at the City of Philadelphia Law Department, One
Parkway Building, 1515 Arch Street, 14th Floor,
Philadelphia, Pennsylvania, on Thursday, April 13,
2017, commencing at 1:17 p.m., before Andrea M.
Brinton, Certified Court Reporter and Notary Public.

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DETECTIVE KEITH SCOTT

1 APPEARANCES:

2 LAW OFFICES OF MICHAEL I. McDERMOTT
3 BY: MICHAEL I. McDERMOTT, ESQUIRE
4 1026 Winter Street
5 Suite 200
6 Philadelphia, Pennsylvania 19107
7 (215) 925-9732
8 Counsel for Plaintiff

9 CITY OF PHILADELPHIA LAW DEPARTMENT
10 BY: AARON SHOTLAND, ESQUIRE
11 One Parkway
12 1515 Arch Street
13 14th Floor
14 Philadelphia, Pennsylvania 19102
15 (215) 683-5000
16 Counsel for Defendants

17 ALSO PRESENT:
18 Richard Collins
19 Sergeant Edward Pisarek
20
21
22
23
24

DETECTIVE KEITH SCOTT

1	I N D E X	
2	WITNESS	PAGE
3	DETECTIVE KEITH SCOTT	
4	EXAMINATION	
5	By Mr. McDermott	4
6	By Mr. Shotland	48

7 - - -

8

9 E X H I B I T S

10	EXHIBIT NO.	DESCRIPTION	PAGE FIRST REFERENCED
11	Scott-1	Philadelphia Police Department Investigation Report	11
12			
13	Scott-2	Property Receipt	13
14	Scott-3	Photocopy of Photograph	17
15	Scott-4	Investigation Interview Record	28
16			
17	Scott-5	Philadelphia Police Department Vehicle or Pedestrian Investigation Report	38
18			
19	Scott-6	Investigation Interview Record	45
20			
21	Collins-1	Photocopy of Photograph	15
22		- - -	
23			
24			

DETECTIVE KEITH SCOTT

1 (By agreement of counsel, the reading,
2 signing, sealing, certification and filing are
3 waived; and all objections, except as to the form of
4 the question, are reserved until the time of trial.)

5 - - -

6 DETECTIVE KEITH SCOTT, after having been
7 first duly sworn, was examined and testified as
8 follows:

9 - - -

10 SERGEANT EDWARD PISAREK, after having
11 been first duly sworn, was examined and testified as
12 follows:

13 - - -

14 EXAMINATION

15 - - -

16 BY MR. McDERMOTT:

17 Q. Good afternoon. My name is Michael
18 McDermott and I represent Richard Collins in
19 reference to a violation of civil rights case that he
20 has filed, and it is in federal court, where the two
21 of you have been named as defendants.

22 Whenever we take depositions, we
23 always give some instructions, that's why I asked to
24 have you both sworn in, to have you both listen now

DETECTIVE KEITH SCOTT

1 before we start questioning Detective Scott, that way
2 we won't have to do it twice.

3 First of all, Detective, have you ever
4 been deposed before?

5 A. Yes.

6 MR. McDERMOTT: Sergeant, have
7 you ever been deposed before?

8 SERGEANT PISAREK: Yes, sir.

9 BY MR. McDERMOTT:

10 Q. So, generally speaking, it's a situation in
11 which I'm asking questions and I'm asking the
12 questions orally. As a result of that, we expect
13 that you answer the questions. Obviously, if you
14 don't know the answer, just say you don't know and
15 we'll move on from there. Do you understand that?

16 A. Yes.

17 MR. McDERMOTT: Do you
18 understand, Sergeant?

19 SERGEANT PISAREK: Yes.

20 BY MR. McDERMOTT:

21 Q. If I ask you something that you don't
22 understand, please tell me that you don't understand
23 it and I can rephrase it in a way that you will
24 understand it. Do you understand that?

DETECTIVE KEITH SCOTT

1 A. Yes.

2 SERGEANT PISAREK: Yes.

3 BY MR. McDERMOTT:

4 Q. Sometimes when attorneys are speaking,
5 including myself, I'll be looking down at paperwork
6 and my voice may tail off or I may not be speaking
7 loud enough. If you cannot hear me, please stop me,
8 I will speak louder so that you hear the question.

9 Now, if you need to stop because you
10 need to use the bathroom or want to get a drink of
11 water or you want to speak to your attorney,
12 Mr. Shotland, please just let us know, we'll stop and
13 go off the record, you can have a conversation with
14 him and then we'll go back on the record.

15 The only thing I would ask is whatever
16 the last question was that I asked, you answer that
17 before you go discuss it with your attorney. Do you
18 understand that?

19 A. Yes.

20 MR. McDERMOTT: Do you
21 understand that?

22 SERGEANT PISAREK: Yes.

23 BY MR. McDERMOTT:

24 Q. Okay. If we're taking a look at anything

DETECTIVE KEITH SCOTT

1 exhibit-wise, whether it's one of your police reports
2 or something else, a picture or something, we'll mark
3 it for purposes of the deposition and we'll allow you
4 to see it prior to you answering any questions
5 regarding it. Do you understand that?

6 A. Yes.

7 MR. McDERMOTT: Do you
8 understand that?

9 SERGEANT PISAREK: Yes.

10 BY MR. McDERMOTT:

11 Q. Okay. Do you understand the instructions
12 that I've given you?

13 SERGEANT PISAREK: Yes.

14 THE WITNESS: Yes.

15 BY MR. McDERMOTT:

16 Q. Are either of you under any type of
17 alcohol, narcotic or medication that would keep you
18 from understanding anything I ask today?

19 A. No.

20 SERGEANT PISAREK: No.

21 BY MR. McDERMOTT:

22 Q. We'll start with you, Detective Scott.

23 MR. SHOTLAND: Just from here on out,
24 this is Detective Scott's deposition?

DETECTIVE KEITH SCOTT

1 MR. McDERMOTT: Right.

2 MR. SHOTLAND: So don't respond
3 to any more questions until it's your
4 turn, Sergeant.

5 SERGEANT PISAREK: Yeah, I got
6 it.

7 BY MR. McDERMOTT:

8 Q. Detective, are you familiar with the case
9 regarding Richard Collins, his arrest for an alleged
10 robbery?

11 A. Yes.

12 Q. Okay. What was your assignment regarding
13 his arrest?

14 A. To process the arrest.

15 Q. Okay. So were you out on the scene at any
16 time?

17 A. Yes.

18 Q. Okay. When were you out at the scene?

19 A. After the robbery took place to actually
20 attempt to get fingerprints or video.

21 Q. Okay. Now, I know that you did get
22 fingerprints off of what I believe was a cash
23 register; is that correct?

24 A. We attempted to get fingerprints, but it

DETECTIVE KEITH SCOTT

1 turned out not to be fingerprints.

2 Q. Okay. So no fingerprints were recovered?

3 A. No.

4 Q. However, that information was not delivered
5 to you until sometime later; is that correct?

6 A. Yes.

7 Q. Okay. I believe that was at around the
8 time that the case was withdrawn by the assistant
9 district attorney; is that correct?

10 A. I don't remember when.

11 Q. Okay. On the night of the incident, you
12 went to the store where the alleged robbery took
13 place; correct?

14 A. Yes.

15 Q. And you recovered a video?

16 A. Yes.

17 Q. You've had the opportunity to review today
18 the video that -- the surveillance video that came
19 from the store; correct?

20 A. Yes.

21 Q. You had the opportunity to review that
22 surveillance video on the night of my client's
23 arrest; is that correct?

24 A. Yes.

DETECTIVE KEITH SCOTT

1 Q. Okay. And as a matter of fact, you
2 actually looked at that video while you were still at
3 the store; isn't that correct?

4 A. Yes.

5 Q. And that video was in color; right?

6 A. It wasn't black-and-white, yes.

7 Q. Okay. And could you identify the person
8 that was in the video?

9 A. I couldn't, no.

10 Q. Okay. And that's because in the video,
11 there's no time that you really see anyone's face?

12 A. You only see a partial face.

13 Q. The perpetrator had a hoodie on at the
14 time, or a coat with a hood, I should say; is that
15 correct?

16 A. Yes.

17 Q. Okay. And from looking at the video and
18 seeing my client that night, you couldn't identify my
19 client as the person from seeing the partial part of
20 his face; is that correct?

21 A. No, I couldn't.

22 Q. Okay. But from looking at the video, you
23 had prepared a report in this matter saying that the
24 sneakers that the perpetrator was wearing matched the

DETECTIVE KEITH SCOTT

1 sneakers that my client was wearing; isn't that
2 correct?

3 A. Yes. I stated they appeared to match the
4 sneakers that your client was wearing.

5 Q. Okay. And you put that into some of your
6 reports; is that correct?

7 A. Yes.

8 Q. All right. I'm going to have you take a
9 look at what we'll have marked as Collins Exhibit 1.

10 (Discussion held off the
11 record.)

12 (Scott-1 marked for
13 identification.)

14 BY MR. McDERMOTT:

15 Q. I'm going to ask you to take a look at what
16 has been marked Exhibit Scott-1.

17 A. Okay.

18 Q. Is that a copy of the report that you
19 prepared?

20 A. Yes, it's a 49.

21 Q. Okay. And that's commonly referred to as a
22 75-49; is that correct?

23 A. That's correct.

24 Q. And that, in one paragraph there, details

DETECTIVE KEITH SCOTT

1 what you put into the report about the sneakers
2 matching; is that correct?

3 A. Yes.

4 Q. Can you read for the record exactly what
5 you stated.

6 A. The assigned, Detective Scott, responded,
7 photographed the scenes and made a copy of the
8 incident, which was caught on store video. At
9 headquarters, the assigned recovered \$93 and dark
10 blue Nike sneakers with white swoosh and sole from
11 the offender. Sneakers matched those worn in the
12 video. Detective McReynolds recovered two latent
13 prints from the bottom of the cash register and
14 submitted them to Records and Identification.

15 Q. Okay. Now, you have in there that the
16 sneakers matched; correct?

17 A. Correct.

18 Q. And these sneakers were placed on a
19 property receipt, the number being 3088459; is that
20 correct?

21 A. That's correct.

22 MR. McDERMOTT: I'm going to
23 have this marked as Scott Exhibit 2 and
24 I'll show it to the detective.

DETECTIVE KEITH SCOTT

1 (Scott-2 marked for
2 identification.)

3 BY MR. McDERMOTT:

4 Q. Detective, is that, in fact, the property
5 receipt that the sneakers were put on?

6 A. Yes.

7 Q. And in that property receipt, does it once
8 again say that the sneakers matched the sneakers in
9 the video?

10 A. Yes, in the circumstances.

11 Q. Now, when you say in the circumstances, you
12 mean in the box that says --

13 A. Circumstances.

14 Q. -- circumstances?

15 A. Correct.

16 Q. Okay. And today you saw a copy of the
17 video. Did you have the opportunity to see the
18 sneakers?

19 A. Yes.

20 Q. Okay. And what is your recall of how the
21 sneakers looked in the video, as you sit here?

22 A. I recall they still looked the same to me;
23 dark pair of Nike sneakers with a white bottom.

24 Q. Okay. That's what they are in the video?

DETECTIVE KEITH SCOTT

1 A. Yes.

2 Q. Okay. And you took a photograph of the
3 sneakers; is that correct?

4 A. Yes.

5 Q. And I was given some discovery from the
6 incident by Mr. Shotland, and I want to show you that
7 and ask you if that includes all the discovery in the
8 case.

9 MR. SHOTLAND: I just want to
10 object to that question, as far as he's
11 not going to be able to remember every
12 piece of evidence in the discovery that
13 was turned over.

14 You had a color picture; right?

15 MR. McDERMOTT: No,
16 black-and-white. It's not here right
17 now. I'm going to have to borrow your
18 picture that you copied from me.

19 MR. SHOTLAND: That's my only
20 copy, so I'll make another copy.

21 MR. McDERMOTT: Okay. For the
22 record.

23 MR. SHOTLAND: Do you want me
24 to do that now?

DETECTIVE KEITH SCOTT

1 MR. McDERMOTT: Yeah, while the
2 officer's looking.

3 MR. SHOTLAND: It's already
4 been marked as Collins-1, so we don't
5 need to remark it. So why don't we just
6 use it --

7 MR. McDERMOTT: Okay.

8 MR. SHOTLAND: -- and I'll give
9 you a copy at the end.

10 BY MR. McDERMOTT:

11 Q. Did you go through the paperwork that I've
12 showed you?

13 A. Yes.

14 Q. And did you see a photograph of the
15 sneakers in there?

16 A. I saw a partial photograph.

17 Q. Okay. While you're looking through there,
18 you did take a photograph of the sneakers, though;
19 correct?

20 A. Yes.

21 MR. McDERMOTT: Off the record.

22 (Discussion held off the
23 record.)

24 THE WITNESS: It's the last

DETECTIVE KEITH SCOTT

1 photograph that's in here. Is there
2 another one?

3 BY MR. McDERMOTT:

4 Q. Oh, I'm sorry, Detective, I thought you
5 said that there was one in there.

6 A. Is there another photograph? Because this
7 is the last one. This one?

8 Q. Okay. I'm just asking just in that packet
9 you're looking at.

10 A. Okay.

11 Q. Okay. So you didn't see a photograph of
12 the sneakers?

13 A. Right here.

14 Q. You believe -- okay.

15 A. Yeah, it's actually cut off.

16 Q. Where is that from?

17 A. Whoever printed this -- from discovery.

18 Q. Okay.

19 A. So whoever printed this, if they would have
20 actually went to the top and clicked on it, the whole
21 picture would have printed.

22 Q. Okay. So are you saying -- can you take
23 that out for me.

24 A. Yes.

DETECTIVE KEITH SCOTT

1 Q. Are you saying that picture that you're
2 looking at, that we're going to have --

3 A. It's not fully printed.

4 Q. -- marked Scott-3 is from the video of the
5 surveillance?

6 A. Yes. Is this a picture I took? This is
7 also a picture I took.

8 Q. Okay. Well, we're going to get to that in
9 one minute.

10 A. It's the same -- it's the same picture.

11 MR. McDERMOTT: Can we have
12 this marked as Scott-3.

13 (Scott-3 marked for
14 identification.)

15 BY MR. McDERMOTT:

16 Q. Okay. So you told us that Scott-3 is a
17 still shot that was taken from the video showing --

18 A. No. Scott-3?

19 Q. Yes. The picture --

20 A. This is not taken from the video.

21 Q. Where is that taken from?

22 A. This is taken from either the evidence
23 room -- it's a room in Northeast Detectives.

24 Q. Okay. And you recognize the wall --

DETECTIVE KEITH SCOTT

1 A. Yes.

2 Q. -- the tiled wall?

3 Okay. And you're saying that that is
4 a partial picture of the sneakers that my client was
5 wearing?

6 A. Yes.

7 Q. And that's Scott-3?

8 A. Yes.

9 Q. Okay. Now I'm going to show you what has
10 previously been marked as Collins-1 from his
11 deposition on April 5th and ask you if you took the
12 photograph of those sneakers.

13 A. It's -- yes, it's the same photograph, this
14 one is just not fully printed --

15 Q. Okay.

16 A. -- and that one is only just actually
17 showing this.

18 Q. Okay. Now, I understand that the Collins
19 photograph is a black-and-white; is that correct?

20 A. That's correct.

21 Q. But you can tell the color of the soles of
22 the sneakers; correct?

23 A. Yes.

24 Q. Okay. And you can see the swoosh is also

DETECTIVE KEITH SCOTT

1 white; is that correct?

2 A. Yes.

3 Q. Where are the shoelaces?

4 A. The shoelaces are probably downstairs in
5 the room.

6 Q. They're taken from somebody after they're
7 arrested; is that correct?

8 A. Yes.

9 Q. Do you recall what color they were?

10 A. I believe they were white.

11 Q. You believe they were white?

12 A. Yes.

13 Q. Okay. Take a look at Scott-3. Can you see
14 that the laces are red in that picture?

15 A. No. This is not a lace.

16 Q. Okay. What is that?

17 A. It's the writing.

18 Q. It's the writing. Okay. And can you see
19 that there's a blue rim to it?

20 A. Yes.

21 Q. Okay. In the video that you saw earlier
22 today, you're saying that those sneakers match the
23 sneakers in the video?

24 A. Yes.

DETECTIVE KEITH SCOTT

1 Q. Did you see a white rim on the sole of the
2 shoe in the video?

3 A. Yes.

4 Q. Okay. Did you see a white swoosh in the
5 video?

6 A. Yes.

7 Q. Okay. And they were on the feet of the
8 person who committed the crime?

9 A. Yes.

10 Q. And you're saying that they are the
11 sneakers, that they're identical?

12 A. They appear to be identical to me, that's
13 why I collected them.

14 Q. Okay. And that's one of the reasons why
15 Mr. Collins was kept in custody; is that correct?

16 A. Not correct, no.

17 Q. Why? What about them would have made him
18 not go in custody?

19 A. Nothing about the sneakers. If -- if I
20 didn't collect the sneakers at all, he would have
21 still been processed because he was positively
22 identified by the complainant.

23 Q. By who?

24 A. The complainant.

DETECTIVE KEITH SCOTT

1 Q. Okay. Where was that done?

2 A. I wasn't there during the positive
3 identification, but I believe it was done prior to
4 the arrest on -- on -- at a particular location where
5 he was stopped.

6 Q. Okay. Now, after he was brought into
7 custody, his sneakers were taken from him; correct?

8 A. Not directly after. After I saw the video.

9 Q. Okay. And the sneakers, if they didn't
10 match the video, you're saying he would have still
11 been held in custody?

12 A. Yes.

13 Q. Why is that?

14 A. Because he was positively identified by the
15 complainant.

16 Q. So the only thing of importance to you in
17 making an arrest is the positive identification of --

18 MR. SHOTLAND: Objection.

19 You can answer.

20 THE WITNESS: I can answer?

21 MR. SHOTLAND: You can answer.

22 THE WITNESS: I wouldn't

23 believe that's important to me, but if

24 there's a positive identification made,

DETECTIVE KEITH SCOTT

1 I'm obligated to submit it to the -- to
2 DACU. They make the final decision.

3 BY MR. McDERMOTT:

4 Q. Was all of this information sent into DACU?

5 A. Yes.

6 Q. For the record, what is DACU?

7 A. The District Attorney's Charging Unit.

8 Q. When was that submitted?

9 A. I have to refer to the paperwork.

10 MR. SHOTLAND: "That" meaning
11 the case?

12 MR. McDERMOTT: Yes.

13 THE WITNESS: At
14 approximately -- approximately, this is
15 approximate, I'm not sure, but 2:31 a.m.,
16 3/24/2013.

17 BY MR. McDERMOTT:

18 Q. Okay. So did you send them the video?

19 A. No.

20 Q. Did you inform them -- did you -- I'm
21 sorry, did you send them the still pictures?

22 A. Yes.

23 Q. Okay. And what picture did you send them
24 of the sneakers involved?

DETECTIVE KEITH SCOTT

1 A. This one.

2 Q. And what did you send them that was from
3 the video that showed that the sneakers matched?

4 A. Eventually they were sent the video, but I
5 don't send the video.

6 Q. Okay. But that night when you're sending
7 things over to the District Attorney's Office, you
8 sent a picture of the sneakers?

9 A. Yes.

10 Q. Okay. So the only evidence that you sent
11 them was a picture of the sneakers taken from my
12 client, along with your report that says they match
13 the video?

14 A. And the statement of the complainant.

15 Q. Okay. But the only thing that they get to
16 see is the picture of his sneakers and your report
17 saying that they match that video?

18 MR. SHOTLAND: Objection.

19 That's not what he said. He said he sent
20 the statement of the complainant, so
21 that's not the only thing.

22 THE WITNESS: And the officers.

23 BY MR. McDERMOTT:

24 Q. Okay. Regarding -- withdraw that.

DETECTIVE KEITH SCOTT

1 Regarding the sneakers, the only thing that was sent
2 to the District Attorney's Charging Unit was the
3 picture you took of my client's sneakers?

4 A. Yes.

5 Q. Okay. There was nothing from the video
6 sent?

7 A. Not that night, no.

8 Q. Okay. And when was my client charged with
9 the crime?

10 A. I don't know exactly when he was charged.

11 Q. Well, was it before or after that you sent
12 the video?

13 A. I didn't send the video. We have people
14 who collect and send videos to DACU, so I don't know
15 exactly when they received the video --

16 Q. Well, were they --

17 A. -- but I sent the paperwork prior to them
18 receiving the video. That's all I can tell you.

19 Q. And in regard to the sneakers --

20 A. Uh-huh.

21 Q. -- the paperwork that you sent said that
22 the sneakers matched the sneakers in the surveillance
23 video?

24 A. Yes.

DETECTIVE KEITH SCOTT

1 Q. Okay. So what the D.A. had to rely on at
2 that time in regard to certain evidence of the
3 sneakers was the picture you sent and your statement
4 saying that they were the same?

5 A. And the statements from --

6 Q. I'm saying specifically regarding the
7 sneakers, Detective.

8 MR. SHOTLAND: He should be
9 allowed to answer.

10 MR. McDERMOTT: He can answer
11 after he answers my question.

12 BY MR. McDERMOTT:

13 Q. With regard to the sneakers, that's all
14 they received; is that correct?

15 A. I don't understand what you're asking now
16 with regard to the sneakers.

17 Q. With regard to the sneakers, all they got
18 sent from you was the picture of the sneakers that
19 you took, which is in Collins-1, and you sending over
20 paperwork saying the sneakers matched?

21 A. Now, what time frame? Because that's not
22 the only thing they received. Eventually they
23 received the video, too.

24 Q. When you sent it over for the charging unit

DETECTIVE KEITH SCOTT

1 to make a decision as to whether to charge or not to
2 charge my client, all they had, which you sent, was
3 the picture of the sneakers and your statement saying
4 that they matched the sneakers in the video.

5 MR. SHOTLAND: Objection.

6 You can answer.

7 THE WITNESS: Yes, as far as
8 the sneakers are concerned, they were
9 sent a picture of the sneakers.

10 BY MR. McDERMOTT:

11 Q. Okay. And they were sent your statement
12 saying that they matched?

13 A. Yes.

14 Q. Okay. And they were sent the different
15 interviews that you took?

16 A. Yes.

17 Q. Okay. And where was my client arrested?

18 A. I don't know.

19 Q. How was he arrested?

20 A. According to the paperwork, on the 7500
21 block of Torresdale Avenue.

22 Q. What paperwork are you looking at?

23 A. The preliminary arrest report, the PARS.

24 Q. Okay. May I see what you're looking at.

DETECTIVE KEITH SCOTT

1 A. Yes.

2 Q. So it just gives a location; is that
3 correct?

4 A. Yes.

5 Q. Does it state whether my client was on
6 foot, walking? Was he in a vehicle? Does it state
7 anything to that?

8 A. No.

9 Q. Okay. Did anybody tell you where he was
10 arrested, in reference to whether he was in a motor
11 vehicle or whether he was on foot?

12 A. If so, it would probably be in one of the
13 interviews.

14 Q. Did you take an interview of Sergeant -- of
15 the sergeant?

16 A. Let's see. I don't see the sergeant's
17 interview, unless he wasn't a sergeant then.

18 MR. SHOTLAND: To the best of
19 your recollection, did you interview him?

20 THE WITNESS: I don't know.

21 BY MR. McDERMOTT:

22 Q. All right. Would you have normally, in the
23 course of an investigation, interviewed an officer
24 such as Sergeant Pisarek, who was involved in the

DETECTIVE KEITH SCOTT

1 arrest of my client?

2 A. If he was working with somebody. I don't
3 know if -- if they're -- if they're paired up, I
4 would only interview one officer.

5 Q. Okay. So on that night, he was partners
6 with Police Officer Berkery.

7 MR. McDERMOTT: And I'm going
8 to spell that for you.

9 MR. SHOTLAND: B-E-R-K-E-R-Y.

10 BY MR. McDERMOTT:

11 Q. Did you interview Officer Berkery?

12 A. No.

13 Q. I'm going to show you what we'll have
14 marked as Scott-4.

15 (Scott-4 marked for
16 identification.)

17 BY MR. McDERMOTT:

18 Q. Take a look at that.

19 A. Yes.

20 Q. Do you recognize what that is?

21 A. Yes.

22 Q. All right. For the record, tell us what
23 that is.

24 A. It's a 75-483. It's an interview sheet.

DETECTIVE KEITH SCOTT

1 Q. Does it tell you who the interviewee is?

2 A. Yes.

3 Q. Who is that?

4 A. Detective Dewey, Badge 501.

5 Q. Okay. That's the interviewer. Who's the
6 interview taken of?

7 A. P.O. Michael Berkery.

8 Q. Okay. And who took the interview?

9 A. Detective Dewey, Badge No. 501.

10 Q. And who is Detective Dewey?

11 A. He's a detective in Northeast Detectives.

12 Q. Okay. Did you see a copy of that report
13 before you sent things over to the D.A.'s office?

14 A. Yes.

15 Q. Did you send that report over to the D.A.'s
16 office?

17 A. Yes.

18 Q. Okay. What does Officer Berkery say about
19 where he stopped my client?

20 A. 7500 block of Torresdale Avenue.

21 Q. Does it state whether he was in a motor
22 vehicle or on foot?

23 A. No, it doesn't.

24 Q. Okay. What was the flash information given

DETECTIVE KEITH SCOTT

1 out in reference to a description of the person
2 involved?

3 A. I don't know.

4 Q. Do you have that in any of your paperwork?

5 A. Wait. According to Michael Berkery's
6 interview, the flash information was a white male,
7 approximately six feet, green eyes, black jacket with
8 fur on hood and blue jeans.

9 Q. Okay. The person that --

10 A. Wait. Wait. Hold on. Yeah. Okay.

11 Q. Everything that happens we kind of put on
12 the record.

13 You're looking at a second interview?

14 A. This --

15 Q. Is that the same interview?

16 A. It's the same exact interview.

17 Q. Okay. And when Officer Berkery stopped my
18 client, is that what he was wearing?

19 A. I don't know. I'd have to find out.

20 Q. How do you find that out?

21 A. According to the 75-229, the biographical
22 information report, he was wearing a grey hoodie,
23 jeans and blue Nike sneakers.

24 Q. Okay. And does that match what the

DETECTIVE KEITH SCOTT

1 description was that he put in there?

2 A. No. This doesn't match the information
3 according to Police Officer Berkery.

4 Q. Okay. Now, this is the biographical
5 information report, what's commonly referred to as
6 the 229. That's what my client would have been
7 wearing when he was arrested; correct?

8 A. Yes.

9 Q. Okay. And it says blue Nike sneakers; is
10 that correct?

11 A. Yes.

12 Q. So the sneakers that he was wearing would
13 be blue?

14 A. Yes.

15 Q. Okay. And you're saying that the sneakers
16 in the video that you saw earlier were blue?

17 A. I'm saying they're dark.

18 Q. They're dark?

19 A. Yes.

20 Q. And a hoodie is not a parka; would you
21 agree with me?

22 A. No. I mean, yes, I would. It's not a
23 parka.

24 Q. And did you interview anybody else?

DETECTIVE KEITH SCOTT

1 A. The complainant.

2 Q. Okay. And when did you interview the
3 complainant?

4 A. On March 23rd, 2013, at approximately
5 10:00 p.m.

6 Q. And was that in the police station, in the
7 detective's --

8 A. Yes.

9 Q. -- office?

10 A. Yes.

11 Q. Did you show the complainant the sneakers
12 that are in Collins-1?

13 A. No.

14 Q. Did you and the complainant look at the
15 video together?

16 A. No. Wait. Hold on. I think we possibly
17 did, which was -- it wasn't the same night, though.
18 It was either a day -- probably the day after.

19 Q. The day after?

20 A. Maybe the day after or -- I can't tell you
21 the exact date. She was there when I actually
22 recovered the video.

23 Q. I thought you got the video the night of
24 the incident.

DETECTIVE KEITH SCOTT

1 A. No, I didn't say I got the video the night
2 of the incident.

3 Q. When did you get the video?

4 A. Either the day -- the day after -- I can't
5 tell you the exact date.

6 Q. Okay. So you're saying you didn't recover
7 the video, but you observed the video?

8 A. Yes.

9 Q. So you observed it at the store --

10 A. Observed the video, and I made a copy of it
11 with either my camera or cell phone.

12 MR. SHOTLAND: Just try to wait
13 until he's done with his question --

14 THE WITNESS: Oh, okay.

15 MR. SHOTLAND: -- before you
16 answer.

17 THE WITNESS: I'm sorry.

18 BY MR. McDERMOTT:

19 Q. So when you went back to the police station
20 the night of the arrest, you did have some form of
21 copy of the video?

22 A. Yes.

23 Q. Okay. But you didn't actually get the
24 video from the store for a couple days?

DETECTIVE KEITH SCOTT

1 A. It was in Mandarin, so I couldn't -- I
2 couldn't translate it, so I had to get our video
3 people to actually go out and recover the video.

4 Q. But you took her statement --

5 A. Yes.

6 Q. -- the same night at the police station?

7 A. Yes.

8 Q. And did you make any notes or anything of
9 when you reviewed the video with her?

10 A. No.

11 Q. Okay. And there was a jacket that was
12 recovered, and that was placed on property receipt
13 3090993. Do you see a copy of that property receipt
14 there?

15 A. Yes.

16 Q. Okay. And it has description of evidence.
17 What is that evidence?

18 A. One tan U.S. Polo coat with brown fur
19 around its collar, with a black patch on the
20 shoulder.

21 Q. And where was that recovered at?

22 A. From 4565 Aldine Street, on the highway.

23 Q. And 4665 (sic) Aldine, where is that in
24 relation to 7500 Torresdale, if you know?

DETECTIVE KEITH SCOTT

1 A. It's not too far from the location of the
2 occurrence. Well, I don't know. I'm thinking of the
3 location of occurrence. I'm not sure how far is it
4 from the 7500 block of Torresdale.

5 Q. Okay. But it is close to the 4500 block of
6 Cottman, where the robbery took place?

7 A. Yes.

8 Q. Okay. Do you know the whereabouts -- is it
9 in the same direction from 4500 Cottman as --

10 A. I would need a map.

11 Q. Okay. Now, on property receipt 3090994 was
12 placed a black Sport 105 BB plastic gun.

13 A. Yes.

14 Q. That was recovered from 4565 Aldine Street,
15 also?

16 A. Yes.

17 Q. And you weren't present for the recovery of
18 that jacket or that gun?

19 A. I photographed them, but I wasn't present
20 when they were actually taken off the ground.

21 Q. Okay. Now, on property receipt 3088458,
22 there was evidence that was taken from my client
23 which consisted of currency; is that correct?

24 A. Yes.

DETECTIVE KEITH SCOTT

1 Q. And how much in total was taken from him?

2 A. \$93.

3 Q. Okay. And that consisted of four 20-dollar
4 bills, one 10-dollar bill and three one-dollar bills;
5 is that correct?

6 A. Yes.

7 Q. How much money were you told was taken from
8 the store?

9 A. According to the complainant's statement,
10 approximately \$200.

11 Q. At what point in time did the complainant
12 identify my client?

13 A. I don't know when. I'd have to find it in
14 the paperwork. I have no idea when -- the exact time
15 when he was positively identified.

16 Q. Was it before or after you spoke to her?

17 A. Before.

18 Q. And was that before you spoke to her at the
19 store or before you spoke to her in the detective's
20 office?

21 A. Before I spoke to her at Northeast
22 Detectives.

23 Q. Okay. Was it before or after you spoke to
24 her at the store?

DETECTIVE KEITH SCOTT

1 A. I didn't speak to her -- the first time I
2 spoke to her was at Northeast Detectives.

3 Q. Okay. Now, taking a look at her
4 description in your interview, what was her
5 description?

6 A. White male, he had on a tan coat and he had
7 a beard.

8 Q. Okay. At the time you were taking this
9 statement, she's already identified the person;
10 correct?

11 A. Yes.

12 Q. And you're asking her whether she can
13 describe the person who pointed the weapon at her?

14 A. Yes.

15 Q. And even after seeing him in police
16 custody, all she can give you is white male, had on a
17 tan coat and had a beard?

18 A. That was her answer, white male, tan coat
19 and a beard.

20 Q. Okay. Where did the -- there was no
21 description of height or anything of that nature?

22 A. In the interview, no. As far as the flash
23 during the radio call, I'm not sure.

24 Q. Okay. And Berkery's statement, does he

DETECTIVE KEITH SCOTT

1 tell you about height?

2 A. Yes.

3 Q. And what does he say about the height?

4 MR. SHOTLAND: He didn't
5 interview Berkery; right?

6 THE WITNESS: No.

7 BY MR. McDERMOTT:

8 Q. I'm sorry, in the interview of Berkery by
9 your fellow detective.

10 A. In the interview, it says six feet.

11 Q. Okay. Where did that information come
12 from?

13 A. I'm not sure. I don't know.

14 Q. Is there any police paperwork that would
15 show you what the description was from the radio
16 flash? Let me show you what we'll have marked as
17 Scott-5.

18 (Scott-5 marked for
19 identification.)

20 BY MR. McDERMOTT:

21 Q. It may be easier if I just hand it to you.
22 What is Scott 55?

23 A. A 75-48.

24 Q. And what is a 75-48?

DETECTIVE KEITH SCOTT

1 A. It's a 75-48A, excuse me. It's a form that
2 officers have to fill out when they do a pedestrian
3 investigation.

4 Q. Okay.

5 A. That's when they stop somebody on the
6 street or in a vehicle.

7 Q. Okay. In that, does it tell you what the
8 flash information was?

9 A. Grey hoodie, black jacket with fur on the
10 hood and blue jeans.

11 Q. Okay. The jacket that was found was not
12 black, was it?

13 A. No.

14 Q. And my client wasn't wearing a black jacket
15 when he was arrested, was he?

16 MR. SHOTLAND: Objection.

17 You can answer.

18 THE WITNESS: As far as the
19 paperwork, he was wearing a grey hoodie.

20 BY MR. McDERMOTT:

21 Q. Okay. And does that flash information give
22 any type of height description?

23 A. No.

24 Q. Okay. So can you tell from looking at that

DETECTIVE KEITH SCOTT

1 report that's been marked as Scott-5, who prepared
2 that?

3 A. Officer Berkery -- or Pisarek.

4 Q. Okay. And does that give any detail, other
5 than white male, black jacket, blue jeans, as the
6 flash?

7 A. Well, in the flash it says grey hoodie,
8 black jacket with fur on it and blue jeans.

9 Q. The description on there as to the flash
10 and the description that Berkery put in his statement
11 when he was interviewed, does that match?

12 A. Repeat that question again.

13 Q. Well, we'll do it the simple way. We'll --

14 A. All right. Go ahead.

15 Q. -- compare the two. Let's start with the
16 interview of Berkery is Scott-4.

17 A. Uh-huh.

18 Q. And what is the description he has in
19 there?

20 A. White male, six-foot, green eyes, black
21 jacket with fur on hood and blue jeans.

22 Q. Okay. The description that's in the flash
23 information, what's that?

24 A. Grey hoodie, black jacket with fur on hood,

DETECTIVE KEITH SCOTT

1 blue jeans.

2 Q. Okay. So neither description fits what my
3 client was wearing at the time; is that correct? You
4 can take a look at the 229.

5 A. 229. According to the 229, grey hoodie and
6 jeans are the only things that match with the flash
7 and what your client was wearing.

8 Q. Was the jeans?

9 A. Jeans and the grey hoodie.

10 Q. The black jacket?

11 A. Not the black -- not the black jacket, the
12 grey hoodie and the jeans.

13 Q. What about the grey hoodie?

14 A. It matches the flash information.

15 Q. What's the flash?

16 A. Grey hoodie.

17 Q. And blue jeans?

18 A. And jeans, blue jeans.

19 Q. Okay. But no black jacket?

20 A. No black jacket.

21 Q. And no description of the sneakers?

22 A. No.

23 Q. And nothing about the height?

24 A. No.

DETECTIVE KEITH SCOTT

1 Q. Excuse me one second.

2 Now, the flash information that's put
3 into the 229 is written down by the police officer,
4 either Sergeant Pisarek, who's sitting here, or
5 Officer Berkery?

6 A. Yes.

7 Q. And how does that coincide with the
8 description that you were given by the complainant?

9 A. White male, had on a tan coat and beard.

10 Q. Okay. So that's different?

11 A. Yes.

12 Q. So if you can answer, why would an officer
13 stop somebody with that description when it's not the
14 description given by the complainant?

15 A. I can't answer that. I can only -- he had
16 contact with the complainant, so I don't know, maybe
17 the complainant told him something while he spoke
18 directly to her. That's the only thing I can say,
19 but --

20 Q. Did you --

21 A. -- other than that, I'm just guessing.

22 Q. Did you obtain a copy of the police radio
23 tape?

24 A. I don't know if I did. I'm not sure. If

DETECTIVE KEITH SCOTT

1 there is, the D.A.'s office may have it.

2 Q. That's something that would be handed over
3 to the D.A.'s office?

4 A. Yes.

5 Q. Here's something I actually want to clear
6 up for the record. Earlier on I was asking you to
7 look at a packet of information. That packet was
8 given to me by Mr. Shotland.

9 A. Okay.

10 Q. Did that packet come from you to
11 Mr. Shotland?

12 MR. SHOTLAND: Objection. Do
13 you mean in terms of information he's
14 produced to his attorney?

15 BY MR. McDERMOTT:

16 Q. Producing that information -- did you
17 produce --

18 MR. SHOTLAND: He's not going
19 to answer that.

20 BY MR. McDERMOTT:

21 Q. Did you produce any information regarding
22 this case, paperwork, to Mr. Shotland?

23 MR. SHOTLAND: Objection.

24 Don't answer.

DETECTIVE KEITH SCOTT

1 MR. McDERMOTT: I don't
2 understand your objection.

3 MR. SHOTLAND: Information that
4 my client is supplying to me is not
5 discoverable by you, it's subject to
6 attorney/client privilege.

7 MR. McDERMOTT: Information
8 that your client gave to you, that's
9 public information, it is not
10 attorney/client.

11 MR. SHOTLAND: What's public
12 about it?

13 MR. McDERMOTT: The case -- the
14 police reports, they're all public
15 information, they've been made part of a
16 record in court. They're not
17 confidential or secretive in any way. In
18 any case, do you have a copy of --

19 MR. SHOTLAND: Of what?

20 MR. McDERMOTT: The radio tape.

21 MR. SHOTLAND: No. Do you?

22 MR. McDERMOTT: No, I don't,
23 actually.

24 This is page 2. Where's

DETECTIVE KEITH SCOTT

1 page 1? Oh, no, I'm sorry.

2 BY MR. McDERMOTT:

3 Q. I want you to take a look at -- there's an
4 investigation interview record of Police Officer
5 Apostolou, and we'll have that marked as Scott-6.

6 (Scott-6 marked for
7 identification.)

8 BY MR. McDERMOTT:

9 Q. Taking a look at Scott-6, that's an
10 interview of who?

11 A. Police Officer Apostolou.

12 Q. And does that have -- who took that
13 interview of him or her?

14 A. Detective Lena Allen, Badge No. 656.

15 Q. And in that report -- did you see that
16 report and send it to the D.A.'s office?

17 A. Yes.

18 Q. Okay. In that report, does it say what the
19 flash information was?

20 A. Yes.

21 Q. And what is the flash information?

22 A. We received flash information over police
23 radio of the suspect, a white male wearing tan coat
24 with fur around the hood, armed with a black gun.

DETECTIVE KEITH SCOTT

1 Q. Okay. At the time, if you recall reviewing
2 the tapes, was there more than one description given
3 out of my client through -- or not of my client, but
4 of the perpetrator, who did the flash information?

5 A. Well, reviewing what tapes?

6 Q. The radio tapes.

7 A. I never reviewed the radio tape.

8 Q. Okay. Do you know whether there was more
9 than one description given out?

10 A. No.

11 MR. SHOTLAND: Given out,
12 meaning over radio?

13 MR. McDERMOTT: Over radio?

14 THE WITNESS: No.

15 BY MR. McDERMOTT:

16 Q. Was -- were you present -- well, strike
17 that.

18 Do you know who put the flash
19 information out over the radio?

20 A. No.

21 Q. Do you know where that information came
22 from?

23 A. It would probably come from one of the
24 first officers who arrived on the scene.

DETECTIVE KEITH SCOTT

1 Q. Okay. And they would have talked to who,
2 the complainant?

3 A. Yes.

4 Q. Okay. And was the complainant alone at the
5 store at the time when police responded?

6 A. I can only -- I'm not sure.

7 Q. Okay. You saw the video earlier today;
8 right?

9 A. Yes.

10 Q. And you saw in that video -- did you see in
11 that video that there were two other people inside
12 the store at some point?

13 A. Yes.

14 Q. Okay. Do you know who they are?

15 A. No.

16 Q. Were they ever interviewed?

17 A. No. They ran out of the store.

18 Q. Okay. So they were not there when police
19 arrived?

20 A. No.

21 Q. Okay. And as potential witnesses, they
22 would have been held, if they were there, for you to
23 interview?

24 A. Yes.

DETECTIVE KEITH SCOTT

1 Q. Or, at the very least, their identification
2 and their contact information would have been taken?

3 A. Yes.

4 Q. Okay. So is it fair to say that the
5 information didn't come from them?

6 A. Yes.

7 Q. Okay. So it had to come from --

8 A. The complainant.

9 Q. -- the complainant.

10 MR. McDERMOTT: I have no other
11 questions.

12 - - -

13 EXAMINATION

14 - - -

15 BY MR. SHOTLAND:

16 Q. Earlier you testified about people sending
17 videos to DACU?

18 A. Uh-huh.

19 Q. Who was that?

20 A. Our video officers, DVRT team, Video --
21 Digital Video -- Digital Video Response Team,
22 something like that, they sent it to DACU.

23 Q. And is that the process in every case where
24 that's being sent to DACU, that you send the

DETECTIVE KEITH SCOTT

1 paperwork and they send the video?

2 A. Yeah, they recover the video and send it to
3 DACU. Yes.

4 Q. You didn't purposefully withhold the video
5 from the D.A.'s office, did you?

6 A. No.

7 MR. SHOTLAND: That's all I
8 have.

9 MR. McDERMOTT: Just a point of
10 clarification, should we make this a
11 copy?

12 MR. SHOTLAND: Sure.

13 MR. McDERMOTT: I mean, does it
14 really matter?

15 MR. SHOTLAND: Well that -- so
16 you've referred to that as Collins-1.

17 MR. McDERMOTT: That's a copy
18 of this.

19 MR. SHOTLAND: Yeah, that's a
20 better copy.

21 MR. McDERMOTT: Do you want to
22 make a copy of this?

23 MR. SHOTLAND: Do you want to
24 call it something different or do you

DETECTIVE KEITH SCOTT

1 want to call it --

2 MR. McDERMOTT: We can make it
3 Collins-1.

4 (Collins-1 marked for
5 identification.)

6 (Deposition concluded at 2:08
7 p.m.)

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DETECTIVE KEITH SCOTT

CERTIFICATION

- - -

I hereby certify that the testimony and the proceedings in the foregoing matter are contained fully and accurately in the stenographic notes taken by me, and that the copy is a true and correct transcript of the same.



Andrea M. Brinton, Certified
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DETECTIVE KEITH SCOTT

A		C		
<p>a.m 22:15 AARON 2:6 able 14:11 accurately 51:5 ACTION 1:4 aforegoing 51:4 afternoon 4:17 agree 31:21 agreement 4:1 ahead 40:14 al 1:7 alcohol 7:17 Aldine 34:22,23 35:14 alleged 8:9 9:12 Allen 45:14 allow 7:3 allowed 25:9 and/or 51:21 Andrea 1:16 51:13 answer 5:13,14 6:16 21:19,20,21 25:9,10 26:6 33:16 37:18 39:17 42:12,15 43:19,24 answering 7:4 answers 25:11 anybody 27:9 31:24 anyone's 10:11 Apostolou 45:5,11 appear 20:12 APPEARANCES 2:1 appeared 11:3 apply 51:19 approximate 22:15 approximately 22:14,14 30:7 32:4 36:10 April 1:15 18:11 Arch 1:14 2:7 armed 45:24 arrest 8:9,13,14 9:23 21:4,17 26:23 28:1 33:20 arrested 19:7 26:17 26:19 27:10 31:7 39:15 arrived 46:24 47:19 asked 4:23 6:16 asking 5:11,11 16:8 25:15 37:12 43:6 assigned 12:6,9 assignment 8:12 assistant 9:8 attempt 8:20</p>	<p>attempted 8:24 attorney 6:11,17 9:9 43:14 Attorney's 22:7 23:7 24:2 attorney/client 44:6 44:10 attorneys 6:4 Avenue 26:21 29:20</p> <p>B</p> <p>B 3:8 B-E-R-K-E-R-Y 28:9 back 6:14 33:19 Badge 29:4,9 45:14 bathroom 6:10 BB 35:12 beard 37:7,17,19 42:9 believe 8:22 9:7 16:14 19:10,11 21:3,23 Berkery 28:6,11 29:7,18 30:17 31:3 38:5,8 40:3 40:10,16 42:5 Berkery's 30:5 37:24 best 27:18 better 49:20 bill 36:4 bills 36:4,4 biographical 30:21 31:4 black 30:7 34:19 35:12 39:9,12,14 40:5,8,20,24 41:10,11,11,19,20 45:24 black-and-white 10:6 14:16 18:19 block 26:21 29:20 35:4,5 blue 12:10 19:19 30:8,23 31:9,13 31:16 39:10 40:5 40:8,21 41:1,17 41:18 borrow 14:17 bottom 12:13 13:23 box 13:12 Brinton 1:17 51:13 brought 21:6 brown 34:18 Building 1:14</p>	<p>call 37:23 49:24 50:1 camera 33:11 case 4:19 8:8 9:8 14:8 22:11 43:22 44:13,18 48:23 cash 8:22 12:13 caught 12:8 cell 33:11 certain 25:2 certification 4:2 51:1,19 Certified 1:17,21 51:13 certify 51:3 certifying 51:22 charge 26:1,2 charged 24:8,10 charging 22:7 24:2 25:24 circumstances 13:10,11,13,14 City 1:7,13 2:6 civil 1:4 4:19 clarification 49:10 clear 43:5 clicked 16:20 client 10:18,19 11:1 11:4 18:4 23:12 24:8 26:2,17 27:5 28:1 29:19 30:18 31:6 35:22 36:12 39:14 41:3,7 44:4 44:8 46:3,3 client's 9:22 24:3 close 35:5 coat 10:14 34:18 37:6,17,18 42:9 45:23 coincide 42:7 collar 34:19 collect 20:20 24:14 collected 20:13 Collins 1:4 2:11 4:18 8:9 11:9 18:18 20:15 Collins-1 3:20 15:4 18:10 25:19 32:12 49:16 50:3,4 color 10:5 14:14 18:21 19:9 come 38:11 43:10 46:23 48:5,7 commencing 1:16 committed 20:8 commonly 11:21</p>	<p>31:5 compare 40:15 complainant 20:22 20:24 21:15 23:14 23:20 32:1,3,11 32:14 36:11 42:8 42:14,16,17 47:2 47:4 48:8,9 complainant's 36:9 concerned 26:8 concluded 50:6 confidential 44:17 consisted 35:23 36:3 contact 42:16 48:2 contained 51:4 control 51:21 conversation 6:13 copied 14:18 copy 11:18 12:7 13:16 14:20,20 15:9 29:12 33:10 33:21 34:13 42:22 44:18 49:11,17,20 49:22 51:6 correct 8:23 9:5,9 9:13,19,23 10:3 10:15,20 11:2,6 11:22,23 12:2,16 12:17,20,21 13:15 14:3 15:19 18:19 18:20,22 19:1,7 20:15,16 21:7 25:14 27:3 31:7 31:10 35:23 36:5 37:10 41:3 51:6 Cottman 35:6,9 counsel 2:5,9 4:1 couple 33:24 course 27:23 court 1:1,17,21,21 4:20 44:16 51:14 crime 20:8 24:9 currency 35:23 custody 20:15,18 21:7,11 37:16 cut 16:15</p> <p>D</p> <p>D 3:1 D.A 25:1 D.A.'s 29:13,15 43:1,3 45:16 49:5 DACU 22:2,4,6 24:14 48:17,22,24 49:3 dark 12:9 13:23</p>	<p>31:17,18 date 32:21 33:5 day 32:18,18,19,20 33:4,4 days 33:24 decision 22:2 26:1 defendants 1:8 2:9 4:21 delivered 9:4 Department 1:13 2:6 3:11,17 deposed 5:4,7 deposition 1:12 7:3 7:24 18:11 50:6 depositions 4:22 describe 37:13 description 3:10 30:1 31:1 34:16 37:4,5,21 38:15 39:22 40:9,10,18 40:22 41:2,21 42:8,13,14 46:2,9 detail 40:4 details 11:24 detective 1:12 3:3 4:6 5:1,3 7:22,24 8:8 12:6,12,24 13:4 16:4 25:7 29:4,9,10,11 38:9 45:14 detective's 32:7 36:19 Defectives 17:23 29:11 36:22 37:2 Dewey 29:4,9,10 different 26:14 42:10 49:24 Digital 48:21,21 direct 51:21 direction 35:9 directly 21:8 42:18 discoverable 44:5 discovery 14:5,7,12 16:17 discuss 6:17 Discussion 11:10 15:22 district 1:1,1 9:9 22:7 23:7 24:2 downstairs 19:4 drink 6:10 duly 4:7,11 DVRT 48:20</p> <p>E</p> <p>E 3:1,8 earlier 19:21 31:16</p>

DETECTIVE KEITH SCOTT

43:6 47:7 48:16 easier 38:21 EASTERN 1:1 Edward 2:11 4:10 either 7:16 17:22 32:18 33:4,11 42:4 ESQUIRE 2:2,6 et 1:7 Eventually 23:4 25:22 evidence 14:12 17:22 23:10 25:2 34:16,17 35:22 exact 30:16 32:21 33:5 36:14 exactly 12:4 24:10 24:15 EXAMINATION 3:4 4:14 48:13 examined 4:7,11 excuse 39:1 42:1 Exhibit 3:10 11:9 11:16 12:23 exhibit-wise 7:1 expect 5:12 eyes 30:7 40:20	foot 27:6,11 29:22 foregoing 51:19 form 4:3 33:20 39:1 found 39:11 four 36:3 frame 25:21 fully 17:3 18:14 51:5 fur 30:8 34:18 39:9 40:8,21,24 45:24	idea 36:14 identical 20:11,12 identification 11:13 12:14 13:2 17:14 21:3,17,24 28:16 38:19 45:7 48:1 50:5 identified 20:22 21:14 36:15 37:9 identify 10:7,18 36:12 importance 21:16 important 21:23 incident 9:11 12:8 14:6 32:24 33:2 includes 14:7 including 6:5 inform 22:20 information 9:4 22:4 29:24 30:6 30:22 31:2,5 38:11 39:8,21 40:23 41:14 42:2 43:7,13,16,21 44:3,7,9,15 45:19 45:21,22 46:4,19 46:21 48:2,5 inside 47:11 instructions 4:23 7:11 interview 3:15,19 27:14,17,19 28:4 28:11,24 29:6,8 30:6,13,15,16 31:24 32:2 37:4 37:22 38:5,8,10 40:16 45:4,10,13 47:23 interviewed 27:23 40:11 47:16 interviewee 29:1 interviewer 29:5 interviews 26:15 27:13 investigation 3:11 3:15,17,19 27:23 39:3 45:4 involved 22:24 27:24 30:2	41:9,12,17,18,18 Jersey 1:23	41:6 matched 10:24 12:11,16 13:8 23:3 24:22 25:20 26:4,12 matches 41:14 matching 12:2 matter 10:1,23 49:14 51:4 McDERMOTT 2:2,2 3:5 4:16,18 5:6,9 5:17,20 6:3,20,23 7:7,10,15,21 8:1,7 11:14 12:22 13:3 14:15,21 15:1,7 15:10,21 16:3 17:11,15 22:3,12 22:17 23:23 25:10 25:12 26:10 27:21 28:7,10,17 33:18 38:7,20 39:20 43:15,20 44:1,7 44:13,20,22 45:2 45:8 46:13,15 48:10 49:9,13,17 49:21 50:2 McReynolds 12:12 mean 13:12 31:22 43:13 49:13 meaning 22:10 46:12 means 51:20 medication 7:17 Michael 2:2,2 4:17 29:7 30:5 minute 17:9 money 36:7 motor 27:10 29:21 move 5:15			
F face 10:11,12,20 fact 10:1 13:4 fair 48:4 familiar 8:8 far 14:10 26:7 35:1 35:3 37:22 39:18 federal 4:20 feet 20:7 30:7 38:10 fellow 38:9 filed 4:20 filing 4:2 fill 39:2 final 22:2 find 30:19,20 36:13 fingerprints 8:20 8:22,24 9:1,2 first 3:9 4:7,11 5:3 37:1 46:24 fits 41:2 flash 29:24 30:6 37:22 38:16 39:8 39:21 40:6,7,9,22 41:6,14,15 42:2 45:19,21,22 46:4 46:18 Fleming 1:23 Floor 1:14 2:8 follows 4:8,12	G generally 5:10 give 4:23 15:8 37:16 39:21 40:4 given 7:12 14:5 29:24 42:8,14 43:8 46:2,9,11 gives 27:2 go 6:13,14,17 15:11 20:18 34:3 40:14 going 11:8,15 12:22 14:11,17 17:2,8 18:9 28:7,13 43:18 Good 4:17 green 30:7 40:20 grey 30:22 39:9,19 40:7,24 41:5,9,12 41:13,16 ground 35:20 guessing 42:21 gun 35:12,18 45:24	H H 3:8 Hammonton 1:23 hand 38:21 handed 43:2 happens 30:11 headquarters 12:9 hear 6:7,8 height 37:21 38:1,3 39:22 41:23 held 11:10 15:22 21:11 47:22 highway 34:22 Hold 30:10 32:16 hood 10:14 30:8 39:10 40:21,24 45:24 hoodie 10:13 30:22 31:20 39:9,19 40:7,24 41:5,9,12 41:13,16	J jacket 30:7 34:11 35:18 39:9,11,14 40:5,8,21,24 41:10,11,19,20 jeans 30:8,23 39:10 40:5,8,21 41:1,6,8	K keep 7:17 KEITH 1:12 3:3 4:6 kept 20:15 kind 30:11 know 5:14,14 6:12 8:21 24:10,14 26:18 27:20 28:3 30:3,19 34:24 35:2,8 36:13 38:13 42:16,24 46:8,18,21 47:14	L lace 19:15 laces 19:14 latent 12:12 Law 1:13 2:2,6 Lena 45:14 Let's 27:16 40:15 listen 4:24 location 21:4 27:2 35:1,3 look 6:24 11:9,15 19:13 28:18 32:14 37:3 41:4 43:7 45:3,9 looked 10:2 13:21 13:22 looking 6:5 10:17 10:22 15:2,17 16:9 17:2 26:22 26:24 30:13 39:24 loud 6:7 louder 6:8	M M 1:16 51:13 making 21:17 male 30:6 37:6,16 37:18 40:5,20 42:9 45:23 Mandarin 34:1 map 35:10 March 32:4 mark 7:2 marked 11:9,12,16 12:23 13:1 15:4 17:4,12,13 18:10 28:14,15 38:16,18 40:1 45:5,6 50:4 match 11:3 19:22 21:10 23:12,17 30:24 31:2 40:11	N N 3:1 name 4:17 named 4:21 narcotic 7:17 nature 37:21 need 6:9,10 15:5 35:10 neither 41:2 never 46:7 New 1:23 night 9:11,22 10:18 23:6 24:7 28:5 32:17,23 33:1,20 34:6 Nike 12:10 13:23 30:23 31:9

DETECTIVE KEITH SCOTT

normally 27:22 Northeast 17:23 29:11 36:21 37:2 Notary 1:17 51:14 notes 34:8 51:5 number 12:19	47:1,4,7,14,18,21 48:4,7 once 13:7 one-dollar 36:4 opportunity 9:17 9:21 13:17 Oral 1:12 orally 5:12	14:18 16:21 17:1 17:6,7,10,19 18:4 19:14 22:23 23:8 23:11,16 24:3 25:3,18 26:3,9 pictures 22:21 piece 14:12 Pike 1:23 Pisarek 2:11 4:10 5:8,19 6:2,22 7:9 7:13,20 8:5 27:24 40:3 42:4 place 8:19 9:13 35:6 placed 12:18 34:12 35:12 Plaintiff 1:5 2:5 plastic 35:12 please 5:22 6:7,12 point 36:11 47:12 49:9 pointed 37:13 police 3:11,16 7:1 28:6 31:3 32:6 33:19 34:6 37:15 38:14 42:3,22 44:14 45:4,11,22 47:5,18 Polo 34:18 positive 21:2,17,24 positively 20:21 21:14 36:15 possibly 32:16 potential 47:21 preliminary 26:23 prepared 10:23 11:19 40:1 present 2:10 35:17 35:19 46:16 previously 18:10 printed 16:17,19,21 17:3 18:14 prints 12:13 prior 7:4 21:3 24:17 privilege 44:6 probably 19:4 27:12 32:18 46:23 proceedings 51:4 process 8:14 48:23 processed 20:21 produce 43:17,21 produced 43:14 Producing 43:16 property 3:13 12:19 13:4,7 34:12,13 35:11,21 public 1:17 44:9,11	44:14 51:14 purposefully 49:4 purposes 7:3 put 11:5 12:1 13:5 30:11 31:1 40:10 42:2 46:18	8:12 23:24 24:1 25:6 43:21 register 8:23 12:13 relation 34:24 rely 25:1 remark 15:5 remember 9:10 14:11 Repeat 40:12 rephrase 5:23 report 3:12,18 10:23 11:18 12:1 23:12,16 26:23 29:12,15 30:22 31:5 40:1 45:15 45:16,18 reporter 1:17 51:14 51:22 Reporters 1:21 REPORTING 1:21 reports 7:1 11:6 44:14 represent 4:18 reproduction 51:20 reserved 4:4 respond 8:2 responded 12:6 47:5 Response 48:21 result 5:12 review 9:17,21 reviewed 34:9 46:7 reviewing 46:1,5 Richard 1:4 2:11 4:18 8:9 right 8:1 10:5 11:8 14:14,16 16:13 27:22 28:22 38:5 40:14 47:8 rights 4:19 rim 19:19 20:1 robbery 8:10,19 9:12 35:6 room 17:23,23 19:5
O object 14:10 objection 21:18 23:18 26:5 39:16 43:12,23 44:2 objections 4:3 obligated 22:1 observed 33:7,9,10 obtain 42:22 Obviously 5:13 occurrence 35:2,3 offender 12:11 office 23:7 29:13,16 32:9 36:20 43:1,3 45:16 49:5 officer 27:23 28:4,6 28:11 29:18 30:17 31:3 40:3 42:3,5 42:12 45:4,11 officer's 15:2 officers 23:22 39:2 46:24 48:20 OFFICES 2:2 Oh 16:4 33:14 45:1 okay 6:24 7:11 8:12 8:15,18,21 9:2,7 9:11 10:1,7,10,17 10:22 11:5,17,21 12:15 13:16,20,24 14:2,21 15:7,17 16:8,10,11,14,18 16:22 17:8,16,24 18:3,9,15,18,24 19:13,16,18,21 20:4,7,14 21:1,6,9 22:18,23 23:6,10 23:15,24 24:5,8 25:1 26:11,14,17 26:24 27:9 28:5 29:5,8,12,18,24 30:9,10,17,24 31:4,9,15 32:2 33:6,14,23 34:11 34:16 35:5,8,11 35:21 36:3,23 37:3,8,20,24 38:11 39:4,7,11 39:21,24 40:4,22 41:2,19 42:10 43:9 45:18 46:1,8	P p.m 1:16 32:5 50:7 P.O 29:7 packet 16:8 43:7,7 43:10 page 3:2,9 44:24 45:1 pair 13:23 paired 28:3 paperwork 6:5 15:11 22:9 24:17 24:21 25:20 26:20 26:22 30:4 36:14 38:14 39:19 43:22 49:1 paragraph 11:24 parka 31:20,23 Parkway 1:14 2:7 PARS 26:23 part 10:19 44:15 partial 10:12,19 15:16 18:4 particular 21:4 partners 28:5 patch 34:19 pedestrian 3:17 39:2 Pennsylvania 1:1 1:15,22 2:4,8 people 24:13 34:3 47:11 48:16 perpetrator 10:13 10:24 46:4 person 10:7,19 20:8 30:1,9 37:9 37:13 Philadelphia 1:7,13 1:15,22 2:4,6,8 3:11,16 phone 33:11 Photocopy 3:14,20 photograph 3:14 3:20 14:2 15:14 15:16,18 16:1,6 16:11 18:12,13,19 photographed 12:7 35:19 picture 7:2 14:14	Q question 4:4 6:8,16 14:10 25:11 33:13 40:12 questioning 5:1 questions 5:11,12 5:13 7:4 8:3 48:11	R radio 37:23 38:15 42:22 44:20 45:23 46:6,7,12,13,19 ran 47:17 read 12:4 reading 4:1 really 10:11 49:14 reasons 20:14 recall 13:20,22 19:9 46:1 receipt 3:13 12:19 13:5,7 34:12,13 35:11,21 received 24:15 25:14,22,23 45:22 receiving 24:18 recognize 17:24 28:20 recollection 27:19 record 3:15,19 6:13 6:14 11:11 12:4 14:22 15:21,23 22:6 28:22 30:12 43:6 44:16 45:4 Records 12:14 recover 33:6 34:3 49:2 recovered 9:2,15 12:9,12 32:22 34:12,21 35:14 recovery 35:17 red 19:14 refer 22:9 reference 4:19 27:10 30:1 REFERENCED 3:10 referred 11:21 31:5 49:16 regard 24:19 25:2 25:13,16,17 regarding 7:5 8:9	8:12 23:24 24:1 25:6 43:21 register 8:23 12:13 relation 34:24 rely 25:1 remark 15:5 remember 9:10 14:11 Repeat 40:12 rephrase 5:23 report 3:12,18 10:23 11:18 12:1 23:12,16 26:23 29:12,15 30:22 31:5 40:1 45:15 45:16,18 reporter 1:17 51:14 51:22 Reporters 1:21 REPORTING 1:21 reports 7:1 11:6 44:14 represent 4:18 reproduction 51:20 reserved 4:4 respond 8:2 responded 12:6 47:5 Response 48:21 result 5:12 review 9:17,21 reviewed 34:9 46:7 reviewing 46:1,5 Richard 1:4 2:11 4:18 8:9 right 8:1 10:5 11:8 14:14,16 16:13 27:22 28:22 38:5 40:14 47:8 rights 4:19 rim 19:19 20:1 robbery 8:10,19 9:12 35:6 room 17:23,23 19:5
				S S 3:8 saw 13:16 15:16 19:21 21:8 31:16 47:7,10 saying 10:23 16:22 17:1 18:3 19:22 20:10 21:10 23:17 25:4,6,20 26:3,12 31:15,17 33:6 says 13:12 23:12 31:9 38:10 40:7

DETECTIVE KEITH SCOTT

scene 8:15,18 46:24 scenes 12:7 Scott 1:12 3:3 4:6 5:1 7:22 12:6,23 38:22 Scott's 7:24 Scott-1 3:11 11:12 11:16 Scott-2 3:13 13:1 Scott-3 3:14 17:4 17:12,13,16,18 18:7 19:13 Scott-4 3:15 28:14 28:15 40:16 Scott-5 3:16 38:17 38:18 40:1 Scott-6 3:19 45:5,6 45:9 sealing 4:2 second 30:13 42:1 secretive 44:17 see 7:4 10:11,12 13:17 15:14 16:11 18:24 19:13,18 20:1,4 23:16 26:24 27:16,16 29:12 34:13 45:15 47:10 seeing 10:18,19 37:15 send 22:18,21,23 23:2,5 24:13,14 29:15 45:16 48:24 49:1,2 sending 23:6 25:19 48:16 sent 22:4 23:4,8,10 23:19 24:1,6,11 24:17,21 25:3,18 25:24 26:2,9,11 26:14 29:13 48:22 48:24 sergeant 2:11 4:10 5:6,8,18,19 6:2,22 7:9,13,20 8:4,5 27:14,15,17,24 42:4 sergeant's 27:16 sheet 28:24 shoe 20:2 shoelaces 19:3,4 shot 17:17 Shotland 2:6 3:5 6:12 7:23 8:2 14:6 14:9,19,23 15:3,8 21:18,21 22:10	23:18 25:8 26:5 27:18 28:9 33:12 33:15 38:4 39:16 43:8,11,12,18,22 43:23 44:3,11,19 44:21 46:11 48:15 49:7,12,15,19,23 shoulder 34:20 show 12:24 14:6 18:9 28:13 32:11 38:15,16 showed 15:12 23:3 showing 17:17 18:17 sic 34:23 signing 4:2 simple 40:13 sir 5:8 sit 13:21 sitting 42:4 situation 5:10 six 30:7 38:10 six-foot 40:20 sneakers 10:24 11:1,4 12:1,10,11 12:16,18 13:5,8,8 13:18,21,23 14:3 15:15,18 16:12 18:4,12,22 19:22 19:23 20:11,19,20 21:7,9 22:24 23:3 23:8,11,16 24:1,3 24:19,22,22 25:3 25:7,13,16,17,18 25:20 26:3,4,8,9 30:23 31:9,12,15 32:11 41:21 sole 12:10 20:1 soles 18:21 somebody 19:6 28:2 39:5 42:13 sorry 16:4 22:21 33:17 38:8 45:1 speak 6:8,11 37:1 speaking 5:10 6:4,6 specifically 25:6 spell 28:8 spoke 36:16,18,19 36:21,23 37:2 42:17 Sport 35:12 start 5:1 7:22 40:15 state 27:5,6 29:21 stated 11:3 12:5 statement 23:14,20 25:3 26:3,11 34:4 36:9 37:9,24	40:10 statements 25:5 STATES 1:1 station 32:6 33:19 34:6 stenographic 51:5 stop 6:7,9,12 39:5 42:13 stopped 21:5 29:19 30:17 store 9:12,19 10:3 12:8 33:9,24 36:8 36:19,24 47:5,12 47:17 street 1:14,22 2:3,7 34:22 35:14 39:6 strike 46:16 subject 44:5 submit 22:1 submitted 12:14 22:8 Suite 1:22 2:3 SUMMIT 1:21 supervision 51:21 supplying 44:4 sure 22:15 35:3 37:23 38:13 42:24 47:6 49:12 surveillance 9:18 9:22 17:5 24:22 suspect 45:23 swoosh 12:10 18:24 20:4 sworn 4:7,11,24	38:1 39:7,24 terms 43:13 testified 4:7,11 48:16 testimony 51:3 thing 6:15 21:16 23:15,21 24:1 25:22 42:18 things 23:7 29:13 41:6 think 32:16 thinking 35:2 thought 16:4 32:23 three 36:4 Thursday 1:15 tiled 18:2 time 4:4 8:16 9:8 10:11,14 25:2,21 36:11,14 37:1,8 41:3 46:1 47:5 today 7:18 9:17 13:16 19:22 47:7 told 17:16 36:7 42:17 top 16:20 Torresdale 26:21 29:20 34:24 35:4 total 36:1 transcript 51:7 translate 34:2 trial 4:4 true 51:6 try 33:12 turn 8:4 turned 9:1 14:13 twice 5:2 two 4:20 12:12 40:15 47:11 type 7:16 39:22	video 8:20 9:15,18 9:18,22 10:2,5,8 10:10,17,22 12:8 12:12 13:9,17,21 13:24 17:4,17,20 19:21,23 20:2,5 21:8,10 22:18 23:3,4,5,13,17 24:5,12,13,15,18 24:23 25:23 26:4 31:16 32:15,22,23 33:1,3,7,7,10,21 33:24 34:2,3,9 47:7,10,11 48:20 48:20,21,21 49:1 49:2,4 Videographers 1:21 videos 24:14 48:17 violation 4:19 voice 6:6 vs 1:6
W				
wait 30:5,10,10 32:16 33:12 waived 4:3 walking 27:6 wall 17:24 18:2 Walnut 1:22 want 6:10,11 14:6,9 14:23 43:5 45:3 49:21,23 50:1 wasn't 10:6 21:2 27:17 32:17 35:19 39:14 water 6:11 way 5:1,23 40:13 44:17 we'll 5:15 6:12,14 7:2,3,22 11:9 28:13 38:16 40:13 40:13 45:5 we're 6:24 17:2,8 weapon 37:13 wearing 10:24 11:1 11:4 18:5 30:18 30:22 31:7,12 39:14,19 41:3,7 45:23 went 9:12 16:20 33:19 weren't 35:17 whereabouts 35:8 white 12:10 13:23 19:1,10,11 20:1,4 30:6 37:6,16,18				
T				
T 3:8 tail 6:6 take 4:22 11:8,15 15:18 16:22 19:13 27:14 28:18 41:4 45:3 taken 1:13 17:17,20 17:21,22 19:6 21:7 23:11 29:6 35:20,22 36:1,7 48:2 51:5 talked 47:1 tan 34:18 37:6,17 37:18 42:9 45:23 tape 42:23 44:20 46:7 tapes 46:2,5,6 team 48:20,21 tell 5:22 18:21 24:18 27:9 28:22 29:1 32:20 33:5				
U				
U.S 34:18 Uh-huh 24:20 40:17 48:18 understand 5:15,18 5:22,22,24,24 6:18,21 7:5,8,11 18:18 25:15 44:2 understanding 7:18 unit 22:7 24:2 25:24 UNITED 1:1 use 6:10 15:6				
V				
vehicle 3:17 27:6 27:11 29:22 39:6				

DETECTIVE KEITH SCOTT

40:5,20 42:9	2013 32:4			
45:23	2017 1:16			
Winter 2:3	215 1:23 2:4,9			
withdraw 23:24	229 31:6 41:4,5,5			
withdrawn 9:8	42:3			
withhold 49:4	23rd 32:4			
WITNESS 3:2 7:14	28 3:15			
15:24 21:20,22				
22:13 23:22 26:7	3			
27:20 33:14,17	3/24/2013 22:16			
38:6 39:18 46:14	3088458 35:21			
witnesses 47:21	3088459 12:19			
working 28:2	3090993 34:13			
worn 12:11	3090994 35:11			
wouldn't 21:22	38 3:16			
writing 19:17,18				
written 42:3	4			
www.summitrep...	4 3:5			
1:24	424 1:23			
X	45 3:19			
X 3:1,8	4500 35:5,9			
	4565 34:22 35:14			
Y	4665 34:23			
Yeah 8:5 15:1 16:15	477-8648 1:23			
30:10 49:2,19	48 3:5			
	49 11:20			
Z	5			
	501 29:4,9			
0	55 38:22			
08037 1:23	567-3315 1:23			
	5th 18:11			
1	6			
1 11:9 45:1	609 1:23			
1:17 1:16	656 45:14			
10-dollar 36:4	683-5000 2:9			
10:00 32:5				
1026 2:3	7			
105 35:12	75-229 30:21			
11 3:11	75-48 38:23,24			
13 1:15 3:13	75-483 28:24			
14th 1:14 2:8	75-48A 39:1			
15 3:20	75-49 11:22			
1500 1:22	7500 26:20 29:20			
1515 1:14 2:7	34:24 35:4			
16-5671 1:8				
1610 1:22	8			
17 3:14	800 1:23			
19102 1:22 2:8				
19107 2:4	9			
2	925-9732 2:4			
2 12:23 44:24	93 12:9 36:2			
2:08 50:6	985-2400 1:23			
2:31 22:15				
20-dollar 36:3				
200 2:3 36:10				

Philadelphia Police Department Investigation Report

DC Number 2013-15-026895
 Report No 2013-15-026895.1
 Report Date 3/30/2013 9:18:24 AM
 Report Type Investigation Report (75-49)

A - Approved

Page 1 of 4

Unit Control#: 2013-6400-004373-0

Classification 0390 - ROBBERY MISCELLANEOUS HANDGUN
 Previous Classification 0390 - ROBBERY MISCELLANEOUS HANDGUN
 Location of Occurrence 4542 Cottman Ave #2
 Dist/Sect of Occurrence 15th District PSA 3
 Responding Officer P/O BRIAN CLERKIN (PR 248602 / #4625)
 Assisted By P/O JOSEPH SEES (PR 233895 / #2801);
 Related Cases

Occurred On 3/23/2013 12:00:01 AM
 Reported On 3/23/2013 7:49:39 PM
 Disposition / Status 2 - Arrest
 Clearing Unit 1500 - 15th District
 Investigating Officer Det KEITH SCOTT (PR 235734 / #7603)
 Dist/Unit Preparing 6400 - Northeast Detective Division

Report Approval

Completed 3/30/2013 9:18:24 AM
 Approved 4/1/2013 11:59:42 AM

Det KEITH SCOTT (PR 235734 / #7603)
 Sgt MICHAEL DOUGHERTY (PR 193541 / #0273)

Report Summary

ON 3-23-13 15TH DISTRICT OFFICERS ARRESTED ONE MALE FOR ROBBERY.

COMPLAINANT: XIU MEI XIAO

On Saturday March 23, 2013, at approx. 7:43pm, Xiu Mei Xiao, owner of Red Sun Food Market, located at 4542 Cottman Ave, states she was working behind the counter when the offender came in the store, approached the counter, threw a quarter on the counter and grabbed some Mike N Ikes candy. The offender then pulled out a black hand gun, pointed it at the complainant, and demanded she open the cash register. The compl. states while she attempted to open the cash register the offender became angry and attempted to open it himself. The offender then pointed the handgun at the compl. and pulled the trigger several times as if he was attempting to shoot her and held the weapon as if he wanted to hit her with it. The complainant states at that point she noticed the gun wasn't real. The complainant began to fight the offender off as he yanked at the cash register. The offender then pulled the cash register free and fled the store. Minutes later, as a result of flash info relayed over police radio, P/O Berkery #9464 stopped the offender on the 7500 Block of Torresdale ave, where he was positively identified by the complainant. The offender was placed in custody and transported to 15th District CCTV.

P/O Apostolou #7142 and P/O Burgoon #9314 located the offenders tan coat containing the plastic handgun on the sidewalk at 4565 Aldine St. (Aldine & itman)

P/O Manes #2211 and P/O Nodiff #1925 located the cash register on the sidewalk at 4556 Teesdale St. (Teesdale & Ditman)

The Assigned, Det. Scott #7603, responded, photographed the scenes, and made a copy of the incident which was caught on store surveillance video. At headquarters the assigned recovered \$93.00 and dark blue Nike sneakers with white swoosh and sole from the offender. The offender's sneakers matched those worn in store video. Det. McReynolds #8107 recovered 2 latent prints from the bottom of the cash register and submitted them to Records and Identification. P/O DESCHER #6699 RETURNED TO THE STORE ON 3-25-13 AND RECOVERED THE VIDEO.

INITIAL REPORT: P/O BRIAN CLERKIN (PR 248602 / #4625)

ASSIGNED: DET. SCOTT #7603

Classification Detail: 0390 - ROBBERY MISCELLANEOUS HANDGUN

Location	199 - Locations Other than Listed	Using	No. Prom. Entered
Offense Completed?	YES	Criminal Activity	Entry Method
Hate/Bias	None (No Bias)	Weapons/Force	Type Security
Domestic Violence	NO		Tools

Handgun**Victim / Complainant V1: XIAO, XIUMEI**

Address	DOB	Officer Payroll #
CSZ	Age / Race / Sex	District / Unit
Home Phone	Ethnicity	SSN
Cell Phone	Occupation/Grade	OLN
Beeper	Employer/School	OLN State / Country
Email	Emp/Sch Address	Injury
Work Phone	Emp/Sch CSZ	Circumstances
Found Date	Found Location	Reason for Absence
Reason for Cancellation	Found City	
PCIC/NCIC		
Notification		
Victim Notes		

Interview Section

Interview Date 3/23/2013 10:00:00 PM

Interviewed By Det KEITH SCOTT (PR 235734 / #7603)

75-483 Completed YES

Interview Location Nedd

Others Present

Interview Summary I was working behind the counter when a white male came in the store wearing a tan coat with the hood up. He came to the counter and



PROPERTY RECEIPT <input type="checkbox"/> LOST AND FOUND <input type="checkbox"/> FOR INVESTIGATION <input type="checkbox"/> PERSONAL PROPERTY FOR SAFEKEEPING <input checked="" type="checkbox"/> EVIDENCE	FROM WHOM TAKEN Richard Collins DOB 4-22-80		AGE 32	SEX W/M	No 3088459
	ADDRESS 9101 Blue Grass Rd		DATE 3-23-13	TIME 11:06	DISTRICT NEDD
	OWNER (If Known) same		LAB USER FEE REQUESTED <input type="checkbox"/> YES <input type="checkbox"/> NO		UNIT NEDD
	ADDRESS same				DC NO. 13-15-26895
	DEFENDANT'S NAME Richard Collins		BULK OF PROPERTY STORED AT City Hall Evidence		
ITEMS OF PROPERTY AND CIRCUMSTANCES UNDER WHICH IT WAS RECEIVED INCLUDING THE EXACT LOCATION TAKEN FROM 1. EVIDENCE - Dark Blue Nike Sneakers with a White "Swoosh"(nike symbol) and white soles 2. CIRCUMSTANCES- Above sneakers were confiscated from the above defendant. after he was arrested for robbery. Sneakers worn by the defendant match those worn by the offender in the stores surveillance video 3. CHARGES - Robbery and related offenses 4. ASSIGNED - Det. Scott #7603 NEDD#13-4373 5. UCR- 390					
If the person from whom the above amount of money and/or property was taken does not sign below, state reason why: PERSON FROM WHOM TAKEN (Signature) WITNESS (Signature) Det. Sullivan			RECEIVED BY POLICE DEPARTMENT Arresting or Receiving Officer: (If personal property for safekeeping, Desk Supervisor is the Receiving Officer) SIGNATURE Det. Scott		
BADGE NO. (Type) #652			BADGE NO. (Type) #7603		
TRANSFERRED TO EVIDENCE CUSTODIAN/COLLECTOR I hereby acknowledge receipt of the above listed items. <div style="display: flex; justify-content: space-between;"> (Date) (Time) (Evidence Custodian/Collection) </div>					
RELEASE FROM CUSTODY OF POLICE DEPARTMENT This will acknowledge the receipt from the Police Department of the City of Philadelphia of the amount of money and/or property listed above, and will constitute the release of the City of Philadelphia and its agencies from any and all future responsibility therefor.					
<input type="checkbox"/> Returned to Owner or Agent <input type="checkbox"/> Confiscated by Court <input type="checkbox"/> Destroyed by Order of Court Petition No. _____ <input type="checkbox"/> Escheat to State Escheat List No. _____ <input type="checkbox"/> To Department of Collections <input type="checkbox"/> Other Disposition (Explain): _____			RECEIVED BY (Owner or Agent) OWNER OR AGENT (Signature) WITNESS (Signature) BADGE NO. DATE		
			RECEIVED BY (Other than Owner of Agent) SIGNATURE AND TITLE WITNESS DATE		



INVESTIGATION INTERVIEW RECORD		PHILADELPHIA POLICE DEPARTMENT Northeast Detective Division		CASE #13-04373 INTERVIEWER: Det. Dewey #501
NAME P/O MICHAEL BERKERY	AGE	RACE	SEX	DOB
ADDRESS	APARTMENT #		PHONE	
NAME OF EMPLOYMENT/SCHOOL				SSN#
ADDRESS OF EMPLOYMENT/SCHOOL		DEPARTMENT		PHONE #
DATES OF PLANNED BUSINESS TRIPS				
NAME OF CLOSE RELATIVE				
ADDRESS				PHONE#
PLACE OF INTERVIEW N.E.D.D.		Date 03/23/13		TIME 9:50PM
BROUGHT IN BY SELF		DATE 03/23/13		TIME 9:50PM
WARNINGS GIVEN BY		DATE		TIME
ANSWERS				
(1)	(2)	(3)	(4)	(5)
(6)	(7)			

Q. Officer what happened at 4542 Cottman ave this evening that brings you to N.E.D.D.

A. I responded to a robbery in progress at 4542 Cottman ave at approximately 7:45pm, today's date. Prior to my arrival I heard flash information being transmitted over police radio I surveyed the area. I saw a w/m that fit the description at 7500 torresdale ave I stopped that male. The complainant was brought to my location where the suspect was positively identified as the offender for the robbery at 4542 Cottman ave at the Red Sun food market.

Q. Were you solo or working with a partner?

A. A partner Sgt Pisarek # 348 15th dist 5-E

Q. what was the suspect wearing when you stopped him?

A. A grey hoodie and blue jeans.

Q. what was the flash information on the suspect?

A. W/M 6' green eyes black jacket with fur on the hood and blue jeans.

Q. Why did you stop this male?

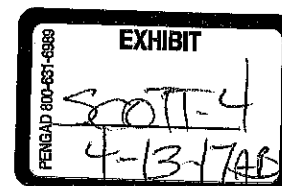
A. He fit the physical description of the offender.

Q. Did you recover a gun?

A. No

Q. Before I conclude this interview is there anything else you can tell me?

A. No



RECORD [] YES [] NO	CHECKED BY:
REVIEWED BY:	



FORM 75-48A

PHILADELPHIA POLICE DEPARTMENT VEHICLE OR PEDESTRIAN INVESTIGATION REPORT

DRAFT F 4/13/99

PAGE 1
OF 1

GENERAL	YEAR	DIST OCC	PC#	SECT	DIST	VEH#	REPORT DATE	TYPE OF STOP		CODE	
	13	15	2100716	3	15	T1	3/23/13	<input type="checkbox"/> CURFEW <input type="checkbox"/> VEHICLE <input checked="" type="checkbox"/> PEDESTRIAN	2701		
	LOCATION OF OCCURRENCE						APT#	<input type="checkbox"/> INSIDE <input checked="" type="checkbox"/> OUTSIDE	TYPE	TIME OUT	
	7500 TORRESDALE AV.							53	7:55		
PED STOP	DATE / TIME OF OCCURRENCE		DAY	DATE / TIME OF RELEASE OR ARREST		TIME IN		TIME OUT			
	3/23/13 7:55		6	3/23/13 8:10		8:10		8:10			
	NAME OF PEDESTRIAN / DRIVER		SEX	AGE	DOB	RACE		LATINO			
	Richard Collins		M	32	4/22/80	1 WHITE		Y			
VEHICLE STOP	ADDRESS		APT#	CITY	STATE	ZIP CODE	DIST RES	NICKNAME			
	9101 BLUE GRASS RD.			PHILA	PA	19114	8				
	SS#	OPERATOR'S LICENSE #		STATE	HEIGHT	WEIGHT	BUILD	EYE COLOR	HAIR COLOR		
		26431780		PA	6'0"	175	AVG	GRN	BRO		
ARCH/SEIZURE	FACIAL HAIR		COMPLEXION	ACCENT	FURTHER DESCRIPTION (SCARS, CLOTHING, ETC)						
	BEARD		LIGHT	No	GREY HOODIE / JEANS						
	<input checked="" type="checkbox"/> INDIVIDUAL MATCHES FLASH INFO		FLASH INFORMATION								
			GREY HOODIE / BLUE JEANS w/ FUR ON HOOD								
MISC.	<input type="checkbox"/> INDIV. INVOLVED IN DISTURBANCE		TYPE OF DISTURBANCE								
	<input type="checkbox"/> OTHER REASON FOR STOP		DESCRIBE FULLY INCL SUSPECTED CRIME								
			ABOVE MALE STOPPED FOR MATCHING FLASH INFO FROM ROBBERY. POSITIVE ID BY COMP. TAKEN TO 15TH FOR PROCESSING.								
			ARREST Y <input checked="" type="checkbox"/> N <input type="checkbox"/>								
MISC.	<input checked="" type="checkbox"/> SUSPECT NAME		SEX	AGE	DOB	POSITIVE ID					
	XIAOMEI XIAO					Y <input checked="" type="checkbox"/> N <input type="checkbox"/>					
	ADDRESS		APT#	CITY	STATE	ZIP CODE	PHONE (HOME)	PHONE (WORK)			
MISC.	<input type="checkbox"/> VEHICLE MATCHES FLASH INFO		FLASH INFORMATION								
	<input type="checkbox"/> VEHICLE IN VIOLATION OF MVC		CODE SECTION	REASON FOR STOP							
	<input type="checkbox"/> VEHICLE INVOLVED IN CRIMINAL ACTIVITY		TC ISSUED?								
			Y <input type="checkbox"/> N <input type="checkbox"/>								
MISC.	<input type="checkbox"/> OTHER		DESCRIBE FULLY								
MISC.	YEAR	MAKE	MODEL	TYPE	COLOR	STATE	MYR EXPR	PLATE#	ARREST Y <input type="checkbox"/> N <input type="checkbox"/>		
	VIN		DISTINGUISHING CHAR								
MISC.	REGISTERED OWNERS NAME (LAST, FIRST)		ADDRESS (NUMBER, STREET)				CITY	STATE	ZIP CODE		
	INDIVIDUAL/VEHICLE FRISKED?		(IF YES STATE REASON(S) WHY YOUR SAFETY WAS AT RISK?)								
	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		MALE WAS STOPPED FOR MATCHING INFO FROM ROBBERY POINT OF								
MISC.	INDIVIDUAL/VEHICLE SEARCHED?		(IF YES INCIDENT TO ARRESTS, RESULT OF FRISK, OTHER PROBABLE CAUSE?)								
	Y <input checked="" type="checkbox"/> N <input type="checkbox"/>		GUN, MALE HAD PULSE IN FRONT POCKET WHICH WAS CELLPHONE AND WALLET. INCIDENT TO ARREST								
	EVIDENCE/CONTRABAND RECOVERED?		(TYPE AND LOCATION RECOVERED)								
	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>										
MISC.	REPORT PREPARED BY		PAYROLL	BADGE	DIST/UNIT	REFERRAL DATE					
	Berkey		232734	9464	15	PISARZAK # 348					
MISC.	REVIEWED BY		PAYROLL	DIST/UNIT	REFERRAL DATE	GEN #					
					1/1						

MUST BE COMPLETED

EXHIBIT
SCOTT-S
4-13-17AB
PENGAD 800-831-8995

INVESTIGATION INTERVIEW RECORD

PHILADELPHIA
POLICE DEPARTMENT
NORTHEAST DETECTIVE
DIVISION

CASE#

13-4373

INTERVIEWER:

DET LENA ALLEN #656

NAME

AGE

RACE/SEX

DOB

P/O Apostolou

ADDRESS

APT#

PHONE#

NAME OF EMPLOYER / SCHOOL

SS#

ADDRESS OF EMPLOYER / SCHOOL

PHONE#

DATES OF PLANNED VACATION / BUSINESS TRIPS

NAME OF CLOSE RELATIVE

RELATIONSHIP

ADDRESS OF RELATIVE

PHONE#

PLACE OF INTERVIEW

DATE

TIME

NEDD

3/23/13

10:55PM

BROUGHT IN BY

DATE

TIME

WE ARE QUESTIONING YOU CONCERNING:

ROBBERY

WARNINGS GIVEN BY:

DATE

TIME

ANSWERS:

(1)

(2)

(3)

(4)

(5)

(6)

(7)

Q).Can you tell me what brings you to Northeast Detectives?

A) While working 15BD2 me and my partner P/O Burgoon#9314 we responded to a Robbery point of gun at 4542 Cottman Ave, while enroute we received flash information over Police Radio of the suspect a w/m, tan /coat w fur around the hood armed with a black gun. While surveying the area we heard a 15th District Unit come over Police Radio with a apprehension of the suspect and positive Id Marple & Torresdale Ave. The suspect did not have the gun or a jacket on him, at that point we back trace wear the original job took place and where the male was stopped. While surveying the area for the gun and the jacket. We observed the a tancoat w/fur on the hood and a black gun inside the coat pocket on the sidewalk at 4565 Aldine St.I notified Police Radio that we had a tan coat w/ a gun in the pocket . The complainant was transported to our location and positively Id the gun and the jacket. The jacket was placed on Property Receipt#3090993 and the gun was placed on Property Receipt #3090994 .

Q).Anything else you want to tell me?

A) No

NO Appt # 71472

3-23-13



RECORD

☐ YES ☐ NO

CHECKED BY:

REVIEWED BY:

